

Looking at the Case as It Is.

Brooklyn Eagle: There are several things which are talked about with reference to the murder of Stephen Pettus by Hannah Martin Southworth which have nothing to do with the case. One of these things is the allegation that Stephen Pettus was a very bad man. The law provides for the killing of only one class of very bad men, murderers or attempting murderers. His extermination with the outside of the condition, and of the law it poses upon which it delegates conditions of life taking to the law is declared, however, that Hannah Martin Southworth had received grievous injuries from Stephen Pettus. The question of the extent and duration of those injuries would have had pertinent place in actions for which the law provides civil redress and criminal punishment on the conviction of the offender. A qualified or presumed endeavor was made to test that question at law some time ago. Indeed, three years ago, according to Lawyer F. E. Dana, Mrs. Southworth tentatively began a suit against Pettus, upon which issue was never joined. That is to say, the suit was not pressed. It was virtually abandoned. The matter was placed in the hands of Howe & Hummel, criminal lawyers, in New York, last February or March, and the suit was discontinued last September, as it was found to be barred by the law of limitations, which provides that a person who brings a charge of seduction, betrayal or the like against another shall do so within three years after the commission of the alleged offense or that the charge will be barred from trial.

Either of two suppositions can be availed of to explain why the case was not brought; one supposition would be that there was not evidence to make out a case. The other supposition would be that, as to the case which the evidence would make out, it might be shown that there was as much blame on the one side as there was on the other, or that there was more blame on the woman's side than there was on the man's side.

It should be borne in mind also that not only was no public trial brought but that the lawyers with whom the woman conferred, and some of whom afterward conferred in her interest with Pettus or his representatives, did not get any money out of him or of them for a private settlement. He persistently declared that the application for money had its basis in her mind, of course not in the minds of her lawyers, in blackmail, and that he would not be blackmailed by her or anyone else. His characterization of her pecuniary claim would seem to have been one that would have been a good one, if anything could, but instead of that she kept out of court. That the Eagle may not be thought unjust in this statement let our readers ponder the following remarkable language from Counselor Dana: "Near the conclusion of an interview with him I said: 'Mr. Pettus, you are a wealthy man and you had better settle this affair. If it comes out it will ruin you and it will come out at the trial. Give her, say, \$10,000 and she will go away to some quiet retreat where she will never bother you. If you do not do so it may yet cost you your life.'"

This interview appears in the New York World to-day. If it is incorrect, the columns of the Eagle are open for its correction by Mr. Dana. Assuming it to be correct, Pettus' denunciation of the claim as blackmail to his friends, Dana's statement to him that \$10,000 would settle the case, Pettus' refusal to pay a cent, the consequent or subsequent abandonment of the case and the verification by the woman's action of Dana's prophecy that the woman would kill Pettus, are facts to be put in their proper relation, and what that relation is the Eagle hardly needs to point out. A financial claim which lawyers omitted to bring into court was everywhere to his friends denounced by Pettus as blackmail. His refusal to submit to one whom he considered as a blackmailer has been followed by her butchery of him. Her former lawyer says that he told him three years ago such would be the result. Such was the result.

The familiar defense of insanity is already raised. The woman's family are perfectly sure that she is insane. Howe & Hummel have no doubt about it. Her brother is confident of it. He interviews in a manner remarkable for its ferocity and ill judgment. Nor is the customary doctor set out of the matter. The latter fees his name as Clinton L. Boggs, according to the doctor, however, the woman would seem to be insane in his opinion, so to speak, for purposes of acquittal only. The papers represent him as saying to the reporter: "I would be willing to testify as to the poor woman's insanity. I am sure that after she has been acquitted she will become as sane as

you or I. On the other hand the shock may kill her." What insanity means to lawyers, what it means to that class of alienists whom the public calls "mad doctors," and what it means to the law it is quite different things. It means to the law its authoritative laid down by Judge Moore on October 22, 1890, in the trial of McElvaine, in these words: "A person is considered under the law as responsible for his acts. If the defendant knew the nature and quality of the act he was doing, and knew it was wrong to do it, you must adjudge him sane. It is not every weak minded person that is insane. No man is insane unless he is insane according to the statute definition. What rule or test of insanity may be set up by physicians or any one else different from that laid down in the statute must have no weight in your judgment. If a man knows the nature and quality of the act he commits he is not insane, no matter who says he is. You can apply no other test. You are not to consider any other test." The question of sanity or insanity should be settled before trial or the woman, if acquitted, should be acquitted expressly on the ground of a continuing insanity, not on one of that kind which is for purposes of acquittal only. Kate Stoddard's insanity remitted her to the asylum for insane criminals for life. There she rightly stays. There the woman Southworth should join her, if she is in the same condition, and, if she is not, she should be put to death by law.

The public should discount everything which those seeking the acquittal of this woman say against the dead man. He has gone to his account and cannot reply to those who have that interest in blackening his memory, which springs from a desire for the escape of her who butchered him like a dog. The woman's case ought to have the same passionless consideration that it would have if she were a man and not a woman. The maudlin sentimentality which makes the incident of her sex a pretext for its mushy operation is a thing to be stamped out. The fact that as a citizen, official, engineer, broker, contractor, associate, neighbor and friend Stephen Pettus was a man respected and beloved is something to be put into contrast with the unverified allegations of his immeasurable profligacy, coming from those who have a motive in fouling his character now. All that is known is that for three years he refused, as he said, to be blackmailed, and that in three seconds he was assassinated by her whom he repeatedly declared was the would be blackmailer of him. As for the theory of her being "misled," "betrayed," and the like, she knew that he was a married man, and those facts shatter the theory that she did not clearly comprehend and intend the meaning of every step which they may have wrongfully but knowingly taken together.

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Sister Thomas, of the Springfield Record, agrees to take the job of spanking the boys who continue to prattle about an extra session of the Tennessee Legislature, to the annoyance of Governor Bob and all nervous people, and deputises this editor to bring the reprobates in line for their punishment. Now Gideon Baskette, Bro. Tatom, Semitar, and all you guilty fellows, march right up and lay yourself across the imposing stone.

Did You Ever?
W. H. Revels, M. D., of Baltimore, Md., says: "I have been in the practice of medicine for over eighteen years, but never have I seen the equal of Hodges' Sarsaparilla. It has worked miracles here in curing Rheumatism and Scrofula. Have almost come to the conclusion that I cannot practice without it." Sold by Owen & Moore, Clarksville, Tenn. Oct-6-1m.

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Tennessee State Society.

At the request of the National society of the sons of the American Revolution, Gov. R. L. Taylor appointed a body composed of the representative men of the State to organize the Tennessee State Society. Clarksville is represented by the Hon. Horace H. Lorton, while Hon. Jos. E. Washington is also a member of the society.

The object of this society is to perpetuate the memory of the deeds of those who fought and fell in the war of the Revolution. All descendants of veterans of that bloody war, that resulted in the establishment of the independence of the United States, and the birth of the constitutional government in America are requested to send in their names to Joseph G. Branch, Temporary Secretary 234 Cherry street, Nashville, Tenn.

A meeting for temporary organization met in the gentleman's parlors at the Maxwell House this morning at 10 o'clock. Mr. Wm. O. McDonnell of New Jersey, the national vice president, is in attendance at this meeting. Concerning this move the Nashville Herald has the following:

The first annual congress of the society will be held in Louisville, Ky., April 30, 1890, and will remain in session about a week. Each of the different state societies will, through their delegates, send an address to the National society, and it is expected that a series of addresses upon the part taken in the revolution by the Huguenot, the Cavalier, the Paritan, the Pilgrim, the Scotch-Irish man, the German, the French Catholic and other nationalities will be delivered. These addresses will be delivered by the best representatives that can be obtained. Chauncey M. Depew will likely represent the Huguenots, William Wirt Henry, of Virginia, the Scotch-Irish, etc.

Judge Smith Moved His Office.

Judge C. G. Smith has moved his office from the law block on Strawberry alley to C. H. Bailey's new building on Second street next to the Court House, occupying two handsome rooms on first floor. This is much more convenient for his clients and friends to call, and no lawyer of Judge Smith's good nature, pleasing and earnest methods, will ever be without either. Moreover it is a good place for the boys to drop in, exchange a few, discuss railroads, car works, syndicates, city extensions and big things generally, for he is always moving with the front of the procession.

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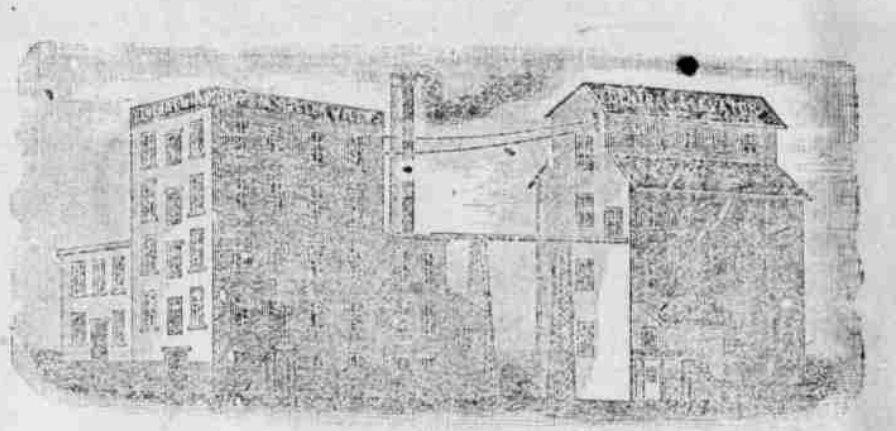
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